

TUESDAY, APRIL 6, 1999
SIXTH LEGISLATIVE DAY
FIRST EXTRAORDINARY SESSION

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Ferguson.

Representative Ferguson led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative McAfee; illness.

MESSAGE FROM THE SENATE
April 6, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 36 and 37; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 36 -- Memorials, Sports - Gallatin High School girls' basketball team, TSSAA 1999 Class AAA state champions. by *Graves.

Senate Joint Resolution No. 37 -- Memorials, Retirement - Dr. Fred Borchuck. by *Crowe.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 7, 1999:

House Joint Resolution No. 23 -- Memorials, Recognition and Thanks - WMOT, 30 years of public broadcasting. by *Hood, *Eckles.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 40** -- Taxes - Enacts "Education Funding and Tax Reform Act of 1999"; makes appropriations for 1999-2000 and 2000-2001 fiscal years for purpose of implementing provisions. Amends TCA Title 47; Title 54; Title 57; Title 67 and Title 68. by *Brooks, *Jones U (Shelby). (SB40 by *Harper, *Dixon)

***House Bill No. 41** -- Taxes - Enacts "Tax Reform Act of 1999." Amends TCA Title 67. by *Jones U (Shelby), *Kernell, *DeBerry L, *Brooks. (SB41 by *Ford J)

***House Bill No. 42** -- Taxes, Privilege - Imposes tax on the privilege of storing spent nuclear fuel within boundaries of this state. Amends TCA Title 67, Chapter 4. by *Kerr, *Montgomery. (SB38 by *McNally)

House Bill No. 43 -- Taxes, Excise - Enacts "Tax Reform Act of 1999." Amends TCA Title 9; Title 45; Title 48; Title 56; Title 57; Title 61; Title 62; Title 67 and Title 68. by *Head, *Rhinehart, *Westmoreland, *Whitson. (*SB27 by *Haun)

***House Bill No. 44** -- Taxes, Income - Authorizes, with regard to the Hall income tax, tax credit for taxpayers totally and permanently disabled or who are 65 years old or older; establishes such tax credit in amount of unreimbursed cost of medications prescribed for taxpayer during tax year. Amends TCA Title 67, Chapter 2, Part 1. by *Turner (Hamilton), *Pruitt, *Pinion, *Williams (Williamson), *Garrett, *Bone, *West, *Briley, *Tindell, *Armstrong. (SB46 by *Crutchfield)

***House Bill No. 45** -- Taxes, Income - Levies personal income tax of 3 percent on federal adjusted gross income in excess of \$60,000; reduces rate of income tax on stocks and bonds from 6 to 3 percent. Amends TCA Title 67. by *Kernell, *Jones U (Shelby). (SB45 by *Dixon)

***House Bill No. 46** -- Insurance, Health, Accident - Authorizes commissioner of commerce and insurance to create assigned risk pool for applicants for health insurance; authorizes commissioner to impose a tax on health insurers to offset costs of such assigned risk pool. Amends TCA Title 56 and Title 67. by *Turner (Shelby), *Brooks. (SB50 by *Dixon, *Harper)

House Bill No. 47 -- Taxes, Franchise - Revises franchise tax law relative to taxation of "closely affiliated" corporations. Amends TCA Section 67-4-905. by *Hood, *Eckles. (*SB08 by *Womack)

***House Bill No. 48** -- Taxes, Exemption - Exempts from property tax real estate held by nonprofit economic development organizations. Amends TCA Title 67, Chapter 5, Part 2. by *Caldwell, *Pleasant. (SB39 by *McNally)

***House Bill No. 49** -- Managed Care Organizations - Exempts TennCare MCOs and BHOs from 2 percent gross revenues tax with respect to revenues derived from TennCare and TennCare partners program. Amends TCA Title 56. by *Eckles. (SB53 by *Harper, *Herron, *Dixon)

***House Bill No. 50** -- Taxes, Privilege - Establishes credit for amount of occupation privilege tax against franchise, excise and business taxes owed. Amends TCA Title 67, Chapter 4. by *Eckles. (SB54 by *Herron, *Dixon)

House Bill No. 51 -- Hospitals and Health Care Facilities - Exempts community agencies providing services to mentally retarded individuals from 6 percent gross receipts tax on ICF/MR beds for any month department of health fails to pay "clean claims" in accordance with the agency's provider agreement. Amends TCA Section 68-11-830. by *Eckles. (*SB25 by *Herron)

House Bill No. 52 -- Taxes, Exemption - Exempts from property tax real estate held by or used for organizations promoting small business development. Amends TCA Title 67, Chapter 5, Part 2. by *Caldwell. (*SB35 by *McNally)

***House Bill No. 53** -- Taxes, Excise - Provides tax credit for certain employers who provide health care insurance to employees. Amends TCA Title 50 and 67. by *Jackson. (SB52 by *Herron, *Dixon, *Harper)

***House Bill No. 54** -- Constitutional Conventions - Proposes amendment to Constitution of Tennessee, Article XI, Section 5, relative to lotteries, imposes a tax on proceeds of lottery winnings to be set by the general assembly. Amends TCA Title 5; Title 6; Title 7; Title 9; Title 45; Title 48; Title 56; Title 57; Title 61; Title 62; Title 67 and Title 68. by *Chumney. (SB56 by *Dixon)

***House Bill No. 55** -- Taxes, Alcoholic Beverages - Substitutes word "each" for "every" in relation to provision requiring every manufacturer and wholesale distributor of beer to register with commissioner of revenue; makes no substantive change. Amends TCA Title 57. by *McDaniel, *Boyer.

***House Bill No. 56** -- Railroads - Substitutes word "each" for "every" in relation to requirement that every railroad doing business in this state pay regulation fees; makes no substantive change. Amends TCA Title 65, Chapter 3. by *McDaniel, *Boyer.

***House Bill No. 57** -- Fees - Omits introductory language relative to fees charged by department of agriculture with no substantive change Amends TCA Title 43 and Title 44. by *McDaniel, *Boyer.

***House Bill No. 58** -- Fees - Substitutes word "each" for "every" in relation to requirement that every freight motor vehicle pay safety inspection fee; makes no substantive change. Amends TCA Title 55 and Title 65. by *McDaniel, *Boyer.

***House Bill No. 59** -- Game and Fish Laws - Substitutes word "each" for "every" in relation to provision requiring every resident to pay fees for hunting, fishing and trapping licenses; makes no substantive change. Amends TCA Title 67 and Title 70. by *McDaniel, *Boyer.

***House Bill No. 60** -- Fees - Purports to remove language from present law, which is not present. Amends TCA Title 55 and Title 68. by *McDaniel, *Boyer.

***House Bill No. 61** -- Public Funds and Financing - Deletes word "all" from provision that all general obligation bonds are subject to financing, refinancing and retirement; makes no substantive change. Amends TCA Title 67 and Title 9, Chapter 9. by *McDaniel, *Boyer.

***House Bill No. 62** -- Banks and Financial Institutions - Replaces "each" with "every" relative to requirement that each bank pay for charter application investigation; makes no substantive change. Amends TCA Title 45. by *McDaniel, *Boyer.

***House Bill No. 63** -- Taxes, Excise - Deletes word "all" from provision imposing excise tax on all corporations, cooperatives, joint-stock associations and business trusts; makes no substantive change. Amends TCA Title 67 and Title 48. by *McDaniel, *Boyer.

***House Bill No. 64** -- Hospitals and Health Care Facilities - Replaces "every" with "any" relative to provision taxing every person who provides nursing home care; makes no substantive change. Amends TCA Title 68. by *McDaniel, *Boyer.

***House Bill No. 65** -- Taxes, Sales - Deletes short title from "Retailers' Sales Tax Act"; deletes provision that this tax is in addition to all other privilege taxes; makes no substantive change. Amends TCA Title 67. by *McDaniel, *Boyer.

***House Bill No. 66** -- Utilities, Utility Districts - Substitutes word "each" for "every" in relation to provision requiring every public utility to pay regulation fees; makes no substantive change. Amends TCA Title 65. by *McDaniel, *Boyer.

***House Bill No. 67** -- Trademarks and Trade Names - Removes words "for registration" from trademark provision referencing application for registration; makes no substantive change. Amends TCA Title 47. by *McDaniel, *Boyer.

***House Bill No. 68** -- Fees - Substitutes the word "every" for the word "each" in relation to provision requiring each holder of certificate of registration to display such certificate in conspicuous place at location where health club services or facilities provided; makes no substantive change. Amends TCA Title 47. by *McDaniel, *Boyer.

***House Bill No. 69** -- Hotels and Restaurants - Substitutes word "Tennessee" for phrase "this state" in regard to permit fees for hotels operating in this state; makes no substantive change. Amends TCA Title 68. by *McDaniel, *Boyer.

***House Bill No. 70** -- Taxes, Privilege - Delete word "the" from provision stating that the excise tax is for state purposes only; makes no substantive change. Amends TCA Title 67. by *McDaniel, *Boyer.

***House Bill No. 71** -- Taxes, Sales - Deletes the words "item or" from the provision levying sales tax on each item or article of tangible personal property sold at retail; makes no substantive change. Amends TCA Title 67. by *McDaniel, *Boyer.

***House Bill No. 72** -- Food and Food Products - Substitutes the word "Tennessee" for phrase "this state" in regard to permit fees for retail food stores operating in this state; makes no substantive change. Amends TCA Title 53, Chapter 8. by *McDaniel, *Boyer.

***House Bill No. 73** -- Taxes, Sales - Removes words "specifically and" from sales tax provisions whereby money is allocated specifically and exclusively to the general fund; makes no substantive change. Amends TCA Title 67. by *McDaniel, *Boyer.

***House Bill No. 74** -- Tobacco, Tobacco Products - Replaces "every" with "each" relative to provision requiring every dealer and distributor to pay privilege tax for selling tobacco products; makes no substantive change. Amends TCA Title 67 and Title 47. by *McDaniel, *Boyer.

***House Bill No. 75** -- Taxes, Excise - Deletes short title of the "Excise Tax Law"; makes no substantive change. Amends TCA Title 67. by *McDaniel, *Boyer.

***House Bill No. 76** -- Public Funds and Financing - Deletes word "the" from provision establishing sinking fund of state funding board; makes no substantive change. Amends TCA Title 67 and Title 9, Chapter 9. by *McDaniel, *Boyer.

***House Bill No. 77** -- Insurance Companies, Agents, Brokers, Policies - Substitutes word "each" for "every" in provision requiring every insurance company to pay required taxes directly to commissioner of revenue; makes no substantive change. Amends TCA Title 50 and Title 56. by *McDaniel, *Boyer.

***House Bill No. 78** -- Taxes, Gasoline, Petroleum Products - Substitutes the phrase "this state" for the word "Tennessee" in relation to provision levying severance tax on gas and oil removed from ground in Tennessee; makes no substantive change. Amends TCA Title 60, Title 65, Title 67, and Title 68. by *McDaniel, *Boyer.

***House Bill No. 79** -- Hospitals and Health Care Facilities - Replaces "each" with "every" relative to requirement that each health facility pay annual licensing fee; makes no substantive change. Amends TCA Title 4, Title 62, Title 63, and Title 68. by *McDaniel, *Boyer.

***House Bill No. 80** -- Taxes, Franchise - Deletes short title of "Franchise Tax Law"; makes no substantive change. Amends TCA Title 67. by *McDaniel, *Boyer.

***House Bill No. 81** -- Taxes, Excise - Deletes word "the" from provision allowing for supervision and collection of excise tax by department of revenue; makes no substantive change. Amends TCA Title 67. by *McDaniel, *Boyer.

***House Bill No. 82** -- Tattoo Parlors and Piercing Establishments - Replaces word "an" with "any" relative to tattoo parlors; makes no substantive change. Amends TCA Title 62, Chapter 38. by *McDaniel, *Boyer.

***House Bill No. 83** -- Solid Waste Disposal - Substitutes word "any" for "each" in relation to provision allowing each county, municipality or solid waste disposal to impose tipping fees at solid waste disposal facilities; makes no substantive change. Amends TCA Title 67 and Title 68. by *McDaniel, *Boyer.

***House Bill No. 84** -- Safety - Substitutes the phrase "this state" for the word "Tennessee" in relation to provisions governing child passenger restraint systems in vehicles travelling on roads and highways of Tennessee; makes no substantive change. Amends TCA Title 40 and Title 55. by *McDaniel, *Boyer.

***House Bill No. 85** -- Taxes, Privilege - Enacts "Tennessee Tax Reform Act of 1999." Amends TCA Title 67. by *Turner (Shelby). (SB63 by *Dixon)

***House Bill No. 86** -- Taxes, Exemption - Removes state and local sales tax from food items that are eligible to be purchased under Food Stamp program. Amends TCA Title 67, Chapter 6. by *Turner (Shelby). (SB61 by *Dixon)

House Bill No. 87 -- Taxes - Enacts "Education Affordability Act." Amends TCA Title 49 and Title 67. by *Hargett. (*SB59 by *Dixon)

House Bill No. 88 -- Taxes, Income - Enacts "Tax Reform Law." Amends TCA Title 67. by *Jones U (Shelby). (*SB58 by *Ford J)

House Bill No. 89 -- Taxes, Sales - Reduces state sales tax on sales of tangible personal property from 6 to 3 percent. Amends TCA Title 67, Chapter 6. by *Cole (Dyer). (*SB57 by *Rochelle)

House Bill No. 90 -- Taxes, Franchise - Provides tax credit for certain TennCare participating providers depending on volume of TennCare enrollees. Amends TCA Title 63 and Title 67. by *Jackson. (*SB60 by *Herron)

***House Bill No. 91** -- Unemployment Compensation - Assesses surcharge on total taxable payroll as determined for unemployment compensation premiums or in lieu of premiums; allows 100 percent credit if employer makes health insurance available to its employees; surcharge to be allocated to TennCare to provide insurance to uninsured. Amends TCA Title 50, Chapter 7. by *Kernell, *Turner (Hamilton), *Cooper B. (SB62 by *Dixon)

House Bill No. 92 -- Taxes - Removes 2 percent tax on gross revenues of MCOs only with respect to revenues derived from TennCare program. Amends TCA Title 56. by *DeBerry L. (*SB03 by *Ford J)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 16 -- Taxes, Privilege -- House Finance, Ways & Means Committee

House Bill No. 17 -- Taxes, Exemption -- House Finance, Ways & Means Committee

House Bill No. 18 -- Taxes, Income -- House Finance, Ways & Means Committee

***House Bill No. 19** -- Taxes, Exemption -- House Finance, Ways & Means Committee

***House Bill No. 20** -- Taxes -- House Finance, Ways & Means Committee

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House Bill No. 21 -- Taxes, Exemption -- House Finance, Ways & Means Committee

House Bill No. 22 -- Taxes, Exemption -- House Finance, Ways & Means Committee

House Bill No. 23 -- Taxes, Exemption -- House Finance, Ways & Means Committee

House Bill No. 24 -- Taxes, Privilege -- House Agriculture Committee

House Bill No. 25 -- Taxes, Tobacco, Tobacco Products -- House Agriculture Committee

***House Bill No. 26** -- Taxes -- House Government Operations Committee

***House Bill No. 27** -- Taxes, Exemption -- House Government Operations Committee

House Bill No. 28 -- Constitutional Conventions -- House State and Local Government Committee

House Bill No. 29 -- Taxes, Exemption -- House Finance, Ways & Means Committee

***House Bill No. 30** -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 31** -- Taxes -- House Government Operations Committee

***House Bill No. 32** -- Taxes, Excise -- House Finance, Ways & Means Committee

***House Bill No. 33** -- Taxes, Excise -- House Finance, Ways & Means Committee

***House Bill No. 34** -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 35** -- Taxes -- Caption Bill Held on Desk

***House Bill No. 36** -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 37** -- Taxes -- House Finance, Ways & Means Committee

***House Bill No. 38** -- Taxes -- House Government Operations Committee

***House Bill No. 39** -- Taxes -- House Government Operations Committee

CONSENT CALENDAR

House Joint Resolution No. 17 -- Memorials, Personal Achievement - Christopher L. Carlton, Eagle Scout. by *Pleasant.

House Joint Resolution No. 18 -- Memorials, Sports - Tamika Whitmore, star University of Memphis senior basketball player. by *Hargett.

House Joint Resolution No. 19 -- Memorials, Sports - Heather Phillips, University of Memphis senior basketball player. by *Hargett.

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House Joint Resolution No. 20 -- Memorials, Sports - 1998-1999 South Central Elementary School girls' basketball team. by *Davis (Washington).

House Joint Resolution No. 21 -- Memorials, Personal Occasion - Ivey Philpot, 100th birthday. by *Beavers, *Bone.

Senate Joint Resolution No. 22 -- Memorials, Personal Achievement - Brock Curtis Peters, Eagle Scout. by *Springer.

Senate Joint Resolution No. 23 -- Memorials, Sports - 1998-1999 Gallatin High School boys' basketball team. by *Graves, *Haynes.

Senate Joint Resolution No. 24 -- Memorials, Academic Achievement - Jonathan Bayless, High Scorer, American High School Mathematics Examination. by *Womack, *Atchley, *Burchett.

Senate Joint Resolution No. 26 -- Memorials, Recognition and Thanks - Portland's Third Annual "Making Strides Against Cancer" Walk, April 30, 1999. by *Graves.

Senate Joint Resolution No. 31 -- Memorials, Recognition and Thanks - Brenda Williams. Winner of the 1998 "Gee, I Thought Nobody Noticed Award." by *Davis L.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 97
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Patton moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 37 out of order, which motion prevailed.

Senate Joint Resolution No. 37 -- Memorials, Retirement - Dr. Fred Borchuck. by *Crowe.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Patton, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. McDonald moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 36** out of order, which motion prevailed.

Senate Joint Resolution No. 36 -- Memorials, Sports - Gallatin High School girls' basketball team, TSSAA 1999 Class AAA state champions. by *Graves.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. McDonald, the resolution was concurred in.

A motion to reconsider was tabled.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 93, was/were referred to the Delayed Bills Committee.

***House Bill No. 93** -- Taxes, Exemption - Deletes all sales tax exemptions; requires finance ways and means committees by 2/3 vote to annually recommend to general assembly by February 15 exemptions to remain or to be deleted for following fiscal year. Amends TCA Title 67, Chapter 6. by *Armstrong, *Cooper B, *Brown.

MESSAGE FROM THE SENATE

April 6, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 16; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

April 6, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 17, 18, 19, 20, and 21.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

April 6, 1999

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 14, and 16.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 6, 1999

The Speaker signed the following: House Joint Resolution(s) No(s). 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 14, and 16

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 6, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 29, 31, 36, and 37; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 14, and 16; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Wednesday, April 7, 1999.